

REMARKS

In response to the rejection of claims 1-14 as being directed to non-statutory subject matter, Applicant has amended claim 1 (and therefore claims 2-14) to recite the physical articles and therefore the claims are now directed to statutory subject matter.

In response to the rejection under 35 USC 112, second paragraph, Applicant has amended the claim to overcome the rejection.

PRIOR ART REJECTIONS

In response to the examiner's rejection of claims 1-20 as being anticipated by US Patent No. 6,658,464 to Reisman ("Reisman"), Applicant respectfully traverses the rejection because that examiner has not established (based on the anticipation standard set forth below) that Reisman anticipates claims 1-20 for the reasons set forth below and therefore the anticipation rejection based on Reisman should be withdrawn.

Anticipation Standard

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). *See also MPEP 2131 et seq.*

Claim 1-14

Claim 1

Claim 1 is not anticipated by Reisman because each and every element of the claim is not found expressly or inherently in Reisman.

The Initiating Program Claim Element

Claim 1 recites "an initiating program that has a link to access a local resource". The initiating program is a email client, web browser, etc. that performs typical functions such as reading emails or browsing the web. The claimed system (including the local application and translator as set forth below) allows the user to use the initiation program (that does not have any special capabilities to access local resource like the offline browser in Reisman) and access the

local resources securely using the claimed local application and translator. While Reisman does disclose an offline browser (*See Reisman at Col. 36, line 20 – Col. 37, line 24 which was cited by the examiner in the office action*) that allows the user to access local web pages, the Reisman system requires a browser different from the typical web browser to be used to access the local web pages. In contrast, the claimed system allows the user of the claimed initiating program to securely access the local resource without the need for the offline browser as is disclosed in Reisman.

Response to Examiner's Arguments in September 2009 Office Action

In response to the examiner's arguments, Applicant disagrees. The argument is not that the claimed initiating program is a typical web browser as alleged by the examiner. The argument is that Reisman discloses that its offline browser (which could be used to access the claimed local resources) is a distinct and different browser when compared to the on-line browser in Reisman which is in fact a typical web browser. Thus, the element of Reisman that is most similar to the claimed initiating program is the offline browser which is not the claimed initiating program since the initiating program can be a web browser, e-mail client application or a messaging client application. Thus, the claimed initiation program is not found in Reisman.

The Local Application Claim Element

Claim 1 also recites "a local application having an instruction that generates a request for access to a local resource based on the link to access the local resource, the request including a token and having the form of a hyperlink and wherein the local resource is not accessible directly from the initiating program" which is not found in Reisman. Reisman discloses user station software that controls transport, storage and presentation of content from a remote source (*See Reisman Title.*) Reisman also discloses an offline browser (*See Reisman at Col. 36, line 20 – Col. 37, line 24 which was cited by the examiner in the office action*) that allows the user to access local web pages. Thus, the offline browser in Reisman accesses local content that is accessible by the offline browser (which is a specially designed piece of software). Reisman also discloses an email reader that requires a specially designed email reader to allow the access to local resources. *See Reisman at col. 52, lines 35-67.*

However, Reisman does not disclose the claimed initiating program (the typical web browser or email client) in combination with the claimed local application. Thus, this element is not found in Reisman.

Response to Examiner's Arguments in September 2009 Office Action

In response to the examiner's arguments, Applicant disagrees. While Reisman may disclose the translation as argued by the examiner (*See Office action at 8*), Reisman does not disclose "...the request including a token and having the form of a hyperlink and wherein the local resource is not accessible directly from the initiating program" as set forth in claim 1. Thus, this element is not found in Reisman.

The Translator Program Claim Element

Claim 1 also recites "a translator program that receives the access request from the local application, the translator program further comprising instructions that generate a return token in response to the access request and instruction that return the return token to the initiating program, the return token further comprising a hyperlink containing a path to the local resource" which is not found in Reisman. Reisman discloses a link interceptor (*See Reisman at col. 43, lines 13-60*) wherein a link request issued by the browser 120, for a locally available resource, has its destination corrected so that the link is still a link that cannot be accessed due to the reasons described in the background of the patent application. In contrast, the translator program generates a return token that contains a hyperlink containing a path to the local resource that allows the initiating program (the typical web browser or email client) to securely access the local resource using the initiating program based on the tokens. Thus, this element is not found in Reisman.

Response to Examiner's Arguments in September 2009 Office Action

In response to the examiner's arguments, Applicant disagrees. While Reisman discloses a link receptor and translator (*See office action at 8*), Reisman does not disclose "translator program further comprising **instructions that generate a return token in response to the access request and instruction that return the return token to the initiating program, the return token further comprising a hyperlink containing a path to the local resource**" as set forth in claim 1.

Thus, the anticipation rejection of claim 1 cannot be maintained.

Claims 2-14

The anticipation rejection of claims 2-14 cannot be maintained for at least the same reasons as claim 1.

Claims 15-20

Claim 15

Claim 15 is not anticipated by Reisman because each and every element of the claim is not found expressly or inherently in Reisman.

Providing an Initiating Program Claim Element

Claim 1 recites “providing an initiating program that has a link to access a local resource.” The initiating program is a email client, web browser, etc. that performs typical functions such as reading emails or browsing the web. The claimed system (including the local application and translator as set forth below) allows the user to use the initiation program (that does not have any special capabilities to access local resource like the offline browser in Reisman) and access the local resources securely using the claimed local application and translator. While Reisman does disclose an offline browser (*See Reisman at Col. 36, line 20 – Col. 37, line 24 which was cited by the examiner in the office action*) that allows the user to access local web pages, the Reisman system requires a browser different from the typical web browser to be used to access the local web pages. In contrast, the claimed system allows the user of the claimed initiating program to securely access the local resource without the need for the offline browser as is disclosed in Reisman.

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In response to the examiner’s arguments, Applicant disagrees. The argument is not that the claimed initiating program is a typical web browser as alleged by the examiner. The argument is that Reisman discloses that its offline browser (which could be used to access the claimed local resources) is a distinct and different browser when compared to the on-line browser in Reisman which is in fact a typical web browser. Thus, the element of Reisman that is most similar to the claimed initiating program is the offline browser which is not the claimed initiating program since the initiating program can be a web browser, e-mail client application or a messaging client application. Thus, the claimed initiation program is not found in Reisman.

Generating a Request By a Local Application

Claim 15 also recites “generating a request, by a local application, for access to a local resource, the request including a token and having the form of a hyperlink and wherein the local resource is not accessible directly from the initiating program” which is not found in Reisman. Reisman discloses user station software that controls transport, storage and presentation of content from a remote source (*See Reisman Title.*) Reisman also discloses an offline browser (*See Reisman at Col. 36, line 20 – Col. 37, line 24 which was cited by the examiner in the office action*) that allows the user to access local web pages. Thus, the offline browser in Reisman accesses local content that is accessible by the offline browser (which is a specially designed piece of software). Reisman also discloses an email reader that requires a specially designed email reader to allow the access to local resources. *See Reisman at col. 52, lines 35-67.*

However, Reisman does not disclose the claimed initiating program (the typical web browser or email client) in combination with the claimed local application. Thus, this element is not found in Reisman.

Response to Examiner’s Arguments in September 2009 Office Action

In response to the examiner’s arguments, Applicant disagrees. While Reisman may disclose the translation as argued by the examiner (*See Office action at 8*), Reisman does not disclose “...the request including a token and having the form of a hyperlink and wherein the local resource is not accessible directly from the initiating program” as set forth in claim 15. Thus, this element is not found in Reisman.

Generating and Returning the Return Tokens

Claim 15 also recites “generating a return token, by a translator program, in response to the access request” and “returning the return token to the initiating program, the return token further comprising a hyperlink containing a path to the local resource” which are not found in Reisman. Reisman discloses a link interceptor (*See Reisman at col. 43, lines 13-60*) wherein a link request issued by the browser 120, for a locally available resource, has its destination corrected so that the link is still a link that cannot be accessed due to the reasons described in the background of the patent application. In contrast, the translator program generates a return token that contains a hyperlink containing a path to the local resource that allows the initiating program (the typical web browser or email client) to securely access the local resource using the initiating program based on the tokens. Thus, this element is not found in Reisman.

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Thus, the anticipation rejection of claim 15 cannot be maintained.

Claims 16-20

Furthermore, the anticipation rejection of claims 16-20 cannot be maintained for at least the same reasons as claim 15.

CONCLUSION

In view of the above, it is respectfully submitted that Claims 1-20 are allowable over the prior art cited by the Examiner and early allowance of these claims and the application is respectfully requested.

The Examiner is invited to call Applicant's attorney at the number below in order to speed the prosecution of this application.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896.

Respectfully submitted,

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